

REMARKS

This supplemental amendment is submitted to add back the term "vertical" as it applies to the vertical plane of the transverse sealing jaws in claims 1 and 19.

Claims 1-21, 49 and 50 were rejected under 35 USC §112, second paragraph, as being indefinite because the Official Action indicated that it is unclear how the transverse sealing jaws move in the vertical plane.

In the amendment filed March 15, 2005, the term "vertical" was removed to address this rejection. However, upon further review of claims 1 and 19, it appears that the term "vertical" is appropriate and should remain in the claim.

By way of explanation, Figure 1 of the present application shows the movement of the transverse sealing jaws 71a and 71b as indicated by arrow G, which shows the sealing jaws 71a and 71b moving in a substantially horizontal direction that is perpendicular to the front of the machine.

Nevertheless, such horizontal movement lies in a vertical plane perpendicular to a front side of the machine. That is, the plane of movement is a vertical plane and such vertical plane is perpendicular to a front side of the machine as described on page 13, line 30 through page 14, line 3 of the application as filed wherein the front and side of the machine are also disclosed.

Based on the foregoing remarks, it is believed apparent that the movement of the sealing jaws is in a vertical plane perpendicular to a front side of the machine and that the rejection under 35 USC §112, second paragraph should be withdrawn.

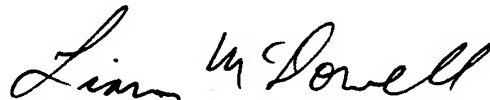
Claims 1, 6, 8-16, 19-21, 49 and 50 are believed patentable over FUKUDA 5,279,098 based on the arguments set forth in the amendment filed March 25, 2005. The above change to the claims does not affect the patentability of the claims.

In view of the present amendment and the foregoing remarks, it is believed that the present application is in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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